

1
2 **UNITED STATES DISTRICT COURT**
3 **DISTRICT OF NEVADA**

4 ***

5
6 FEDERAL TRADE COMMISSION,

7 Plaintiff,

2:12-cv -00536-GMN-VCF

8 vs.

ORDER

9 AMG SERVICES, INC., *et al.*,

10 Defendants.

11
12 Plaintiff Federal Trade Commission (“FTC”) has moved (#560) to unseal and file redacted
13 memoranda and exhibits in connection with its summary judgment motions, (Docket Nos. 456, 491,
14 514, 556, 557). Defendants AMG Services, Inc., MNE Services, Inc., Red Cedar Services, Inc., SFS,
15 Inc. filed an opposition (#568). FTC filed a reply (#573). Attached to the reply was an Appendix (#573,
16 pp. 14-20) listing the issues regarding unsealing and redacting of the subject exhibits where the parties
17 have reached an agreement and those where the parties contested the issues of unsealing and/or
18 redacting.

19 The court has reviewed all exhibits identified in the FTC’s Appendix (#573, pp. 14-20) where
20 the issues are contested and notes that the FTC has not filed with the court proposed redacted Exhibits
21 94R and 98R. As a result, the FTC’s Motion will be denied with regard to unsealing and filing a
22 redacted version of Exhibit 94 (#455-94) and Exhibit 98 (#455-98), without prejudice to the FTC filing a
23 SEALED supplement to its motion (#560) containing its proposed redacted exhibits 94R and 98R.

24
25 In its order (#146) entered August 15, 2012, in this action this court discussed the applicable law
and the burden which must be met before for the sealing of exhibits to dispositive motions. With regard

1 to all other sealed exhibits raised in the motion (#560), defendants have not shown compelling reasons
2 to seal or redact these exhibits beyond what the FTC has proposed.

3 Accordingly, PLAINTIFF FEDERAL TRADE COMMISSION'S MOTION TO UNSEAL AND
4 FILE REDACTED MEMORANDA AND EXHIBITS IN CONNECTION WITH SUMMARY
5 JUDGMENT MOTIONS (#560) is GRANTED IN PART as follows:

6 1. The FTC's summary judgment memoranda and appendix will be unsealed with the redactions
7 proposed by the FTC in Exhibits A-F to its motion to unseal.

8 2. The declarations attached to the FTC summary judgment memoranda (Docket Nos. 454-2,
9 491-1, 514-2, 557-1, 557-2) will be unsealed in their entirety, without further redactions.

10 3. With regard to FTC's Motion for Summary Judgment Exhibits (#455), Exhibits 1, 3-6, 8, 9-
11 10, 14-18, 21-22, 29-32, 37-38, 41, 49-50, 57, 61, 72, 91, 95-97, 114-117, 121-122, 188, 198, 201, 205,
12 227 and 237 will be filed unsealed in their entirety, without further redactions.

13 4. With regard to FTC's Motion for Summary Judgment Exhibits (#455), Exhibits 11, 13, 19,
14 25, 27-28, 33-35, 48, 51-56, 59-60, 62-71, 77, 80-81, 83, 85, 87, 89, 93, 99-110, 123-125, 127, 129, 131,
15 133, 135, 137, 139, 141, 143, 145, 147, 149, 151, 153, 155, 157, 159, 161, 168, 171, 173-181, 184, 186,
16 192, 194-197, 199-200, 202-204, 206-214, 219-225, 228, 230 and 232 will be filed unsealed with the
17 redactions proposed by the FTC in the attachments to its motion to unseal (#561).

18 5. Exhibits 94 and 98 (Docket # 455) remain sealed.

19 6. The FTC must file the above referenced memoranda, declaration and exhibits approved for
20 filing unsealed or unsealed with redactions not earlier than May 1, 2014 and not later than May 9, 2014.
21 If a timely objection to this order is filed, then the FTC must not file the documents which are the
22
23
24
25

1 subject of this order until further order of the court.

2 Dated this 15th day of April, 2014.

3 

4 CAM FERENBACH
5 UNITED STATES MAGISTRATE JUDGE
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25